

Joint Committee of Congress on the Library approved the inclusion in the statue of Sakakawea's infant son, Jean Baptiste Charbonneau, on her back, though he will not be mentioned on the descriptive plaque. Normally, a statue accepted for the Collection can depict only one individual.

Sakakawea was captured by Hidatsa Indians in 1800, when she was about 12 years old, and was given the name by which she is known historically, which translates as "Bird Woman" in Hidatsa. There have been several different versions of the spelling. The original statue depicts Sakakawea looking westward toward the lands being explored. There was no image of Sakakawea available for the original statue, so a Hidatsa Indian, Mink Woman, served as the model.

It is appropriate that the statue be placed in the Capitol at the time of the bicentennial of the beginning of the Lewis and Clark expeditions, for which Sakakawea served as a guide from 1804 to 1806, traveling to the Pacific Ocean and then back through North Dakota.

Mr. Speaker, I yield back the balance of my time.

Mr. NEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 236.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 326.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### SMITHSONIAN FACILITIES AUTHORIZATION ACT

Mr. NEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2195) to provide for additional space and resources for national collections held by the Smithsonian Institution, and for other purposes.

The Clerk read as follows:

H.R. 2195

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Smithsonian Facilities Authorization Act".

##### SEC. 2. ADDITIONAL SPACE AND RESOURCES FOR NATIONAL COLLECTIONS HELD BY THE SMITHSONIAN INSTITUTION.

(a) IN GENERAL.—Public Law 94-98 (20 U.S.C. 50 note; 89 Stat. 480) is amended by adding at the end the following:

##### "SEC. 4. ADDITIONAL SPACE AND RESOURCES FOR NATIONAL COLLECTIONS HELD BY THE SMITHSONIAN INSTITUTION.

"(a) IN GENERAL.—The Board of Regents of the Smithsonian Institution may plan, de-

sign, construct, and equip additional special use storage and laboratory space at the museum support facility of the Smithsonian Institution in Suitland, Maryland, to accommodate the care, preservation, conservation, deposit, and study of national collections held in trust by the Institution.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) \$2,000,000 for fiscal year 2003;

"(2) \$10,000,000 for fiscal year 2004; and

"(3) such sums as are necessary for each of fiscal years 2005 through 2008."

(b) CONFORMING AMENDMENT.—Section 3 of Public Law 94-98 (20 U.S.C. 50 note; 89 Stat. 480) is amended in the first sentence by striking "the purposes of this Act." and inserting "this Act (other than section 4).".

##### SEC. 3. PATENT OFFICE BUILDING IMPROVEMENTS.

(a) AUTHORIZATION OF USE OF FUNDS.—

(1) IN GENERAL.—The Board of Regents of the Smithsonian Institution may plan, design, and construct improvements to the interior and exterior of the Patent Office Building (including the construction of a roof covering for the courtyard), using funds available to the Institution from non-appropriated sources.

(2) DEFINITION.—In this section, the term "Patent Office Building" means the building transferred to the Smithsonian Institution pursuant to Public Law 85-357.

(b) DESIGN AND SPECIFICATIONS.—The design and specifications for any exterior alterations authorized by subsection (a) shall be—

(1) submitted by the Secretary of the Smithsonian Institution (referred to in this section as the "Secretary") to the Commission of Fine Arts for comments and recommendations; and

(2) subject to the review and approval of the National Capital Planning Commission in accordance with section 8722 of title 40, United States Code, and section 16 of the Act of June 20, 1938 (sec. 6-641.15, D.C. Official Code).

(c) AUTHORITY OF HISTORIC PRESERVATION AGENCIES.—

(1) IN GENERAL.—The Secretary shall—

(A) take into account the effect of the improvements authorized by subsection (a) on the historic character of the Patent Office Building; and

(B) provide the Advisory Council on Historic Preservation a reasonable opportunity to comment with regard to such improvements.

(2) STATUS OF SMITHSONIAN.—In carrying out this subsection, and in carrying out other projects in the District of Columbia which are subject to the review and approval of the National Capital Planning Commission in accordance with section 16 of the Act of June 20, 1938 (sec. 6-641.15, D.C. Official Code), the Smithsonian Institution shall be deemed to be an agency for purposes of compliance with regulations promulgated by the Advisory Council on Historic Preservation pursuant to section 106 of the National Historic Preservation Act (16 U.S.C. 470f).

##### SEC. 4. CONTRACTING AUTHORITY OF SECRETARY.

(a) IN GENERAL.—The Secretary of the Smithsonian Institution may—

(1) enter into multi-year contracts for the acquisition of property and services under the authority of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c); and

(2) enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year under the authority of section 303L of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l).

(b) EFFECTIVE DATE.—This section shall apply to contracts entered into on or after the date of the enactment of this Act.

##### SEC. 5. VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

The Secretary of the Smithsonian Institution may establish a program for making voluntary separation incentive payments for employees of the Smithsonian Institution which is substantially similar to the program established under subchapter II of chapter 35 of title 5, United States Code (as added by section 1313(a) of the Homeland Security Act of 2002).

##### SEC. 6. SENSE OF CONGRESS REGARDING JAZZ APPRECIATION MONTH.

(a) FINDINGS.—Congress finds the following:

(1) On December 4, 1987, Congress approved House Concurrent Resolution 57, designating jazz as "a rare and valuable national American treasure".

(2) Jazz has inspired some of the Nation's leading creative artists and ranks as one of the greatest cultural exports of the United States.

(3) Jazz is an original American art form which has inspired dancers, choreographers, poets, novelists, filmmakers, classical composers, and musicians in many other kinds of music.

(4) Jazz has become an international language that bridges cultural differences and brings people of all races, ages, and backgrounds together.

(5) The jazz heritage of the United States should be appreciated as broadly as possible and should be part of the educational curriculum for children in the United States.

(6) The Smithsonian Institution has played a vital role in the preservation of American culture, including art and music.

(7) The Smithsonian Institution's National Museum of American History has established April as Jazz Appreciation Month to pay tribute to jazz as both a historic and living American art form.

(8) The Smithsonian Institution's National Museum of American History has received great contributions toward this effort from other governmental agencies and cultural organizations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Smithsonian Institution's National Museum of American History should be commended for establishing a Jazz Appreciation Month; and

(2) musicians, schools, colleges, libraries, concert halls, museums, radio and television stations, and other organizations should develop programs to explore, perpetuate, and honor jazz as a national and world treasure.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Connecticut (Mr. LARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

□ 1030

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2195 authorizes the Smithsonian Institution to undertake several important activities important to their operations. The legislation authorizes construction at the Patent Office Building, as well as construction of a storage facility that is needed for storing items from the National Museum of Natural History.

Additionally, the bill provides for employee buyout authority as a necessary tool to meet budgetary constraints; and, finally, there is language recognizing the contributions of jazz music in our culture.

H.R. 2195 authorizes the Smithsonian Institution to use their trust funds to plan, design, and construct improvements to the interior and exterior of the Patent Office Building.

The Smithsonian requires this authorization to design and build a cover over the courtyard in the center of the Patent Office Building, which houses the Smithsonian American Art Museum and the National Portrait Gallery.

Executive branch agencies benefit from the savings and flexibility from the multi-year contracts for their construction and services projects. The bill provides these same advantages to the Smithsonian.

The Smithsonian also wants to clarify its relationships with the Advisory Council on Historic Preservation and the National Capital Planning Commission, and this bill achieves that goal.

With regard to the Institution's future budgetary constraints, the Smithsonian Institution will need to realign its workforce in the coming years. They seek authority to offer incentives for the departure of Federal personnel eligible for retirement or early retirement.

H.R. 2195 also provides for a new storage facility. The Natural History Museum on the Mall stores the National Collections biological specimens, which require an off-site storage facility that would be authorized in this bill. This new facility will be built in Suitland, Maryland, where the collections would be moved.

Finally, the bill commends the National Museum of American History for establishing Jazz Appreciation Month, a time for educational events and celebrations in honor of this uniquely American art form.

This bill was introduced by our Member Regents, who serve on the Smithsonian's governing board; and I want to thank the gentleman from Connecticut (Mr. LARSON) and members of the committee for expediting this bill to the floor today.

I also want to conclude my remarks by saying this is a bill that has no objection. I want to thank the gentleman from Ohio, my colleague (Mr. REGULA), who actually has a district that joins mine. He has been an absolutely tremendous Member of Congress who has looked out over the Smithsonian, the great important Smithsonian, and has always risen to the occasion to make sure that our national treasure has always done the best it can do; and this bill will take care of a few issues that I think are of critical importance. I want to conclude by saying we thank, on behalf of the entire country, the gentleman from Ohio (Mr. REGULA).

Mr. Speaker, I submit for the RECORD two letters regarding H.R. 2195, a bill to provide

for additional space and resources for national collections held by the Smithsonian Institution. The letter references a dialogue between Chairman TOM DAVIS and myself in response to a jurisdictional claim in relation to H.R. 2195.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOUSE ADMINISTRATION,  
Washington, DC, July 14, 2003.

Hon. TOM DAVIS,

Chairman, Committee on Government Reform,  
Rayburn House Office Building, Wash-  
ington, DC.

DEAR MR. DAVIS: I am writing in response to your jurisdictional assertions concerning H.R. 2195, the Smithsonian Facilities Authorization Act. We agree with your jurisdictional claim on sec. 4, regarding the contracting authority of the Secretary, and we appreciate your agreement to move forward on this important legislation.

Sincerely,

BOB NEY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON GOVERNMENT REFORM,  
Washington, DC, July 14, 2003.

Hon. ROBERT W. NEY,

Chairman, Committee on House Administration,  
House of Representatives, Washington, DC.

DEAR MR. NEY: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 2195, the "Smithsonian Facilities Authorization Act." The Committee on Government Reform has jurisdiction over the Federal Property and Administrative Services Act of 1949. The Committee has a jurisdictional interest in section 4 of H.R. 2195, Contracting Authority of Secretary, because it expands the reach of the 1949 Property Act.

In the interests of moving this important legislation forward, I do not intend to ask for sequential referral of this bill. However, I do so only with the understanding that this procedural route should not be construed to prejudice the Committee on Government Reform's jurisdictional interest and prerogatives on the provision or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. I respectfully request your support for the appointment of outside conferees from the Committee on Government Reform should these provisions or similar provisions be considered in a conference with the Senate.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the Congressional Record during House debate of the bill. If you have questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

TOM DAVIS,  
Chairman.

Mr. Speaker, I reserve the balance of my time.

Mr. LARSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I associate myself with the distinguished chairman from Ohio (Mr. NEY) and his remarks. I would like to commend as well the gentleman from Ohio (Mr. REGULA), the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from California (Mr. MATSUI) for all their efforts and hard work with respect to this legislation.

Mr. Speaker, this legislation enhances the ability of the Smithsonian

to modernize its operations and to improve the level of services it provides for the American people. The Smithsonian clearly is a national treasure, and this simply will enhance its opportunity and its capability to continue to provide the American people with the greatest treasures on Earth.

Mr. Speaker, I am pleased to support H.R. 2195, the Smithsonian Facilities Authorization Act, which authorizes a number of Smithsonian construction projects, and provides authority to the Secretary of the Smithsonian to make management improvements through more effective use of contracts and buy-out authority. The bill was introduced by Representative REGULA and cosponsored by Representatives SAM JOHNSON of Texas and MATSUI, our three members of the Smithsonian Board of Regents from the House of Representatives.

This legislation is very similar to a bill scheduled for passage at the end of the 107th Congress, but which was pulled back because of some last-minute confusion as the House was considering dozens of bills by unanimous consent. There was no opposition and it should have been enacted into law at that time. The legislation is not controversial and I urge speedy passage without amendments.

H.R. 2195 was referred to the House Administration Committee as the primary committee, with an additional referral to Transportation and Infrastructure, which also supports the bill. It is my understanding that the Senate is prepared to take up this legislation promptly if the House acts favorably here today.

Among its key provisions, section 2 of the bill would authorize \$2 million in FY 2003, \$10 million in FY 2004, and necessary sums in fiscal years 2005 through 2008 for the planning, design and construction of "Pod 5" at the Museum Support Center in Suitland, Maryland, to house the National Collections, which are biological specimens currently stored in approximately 365,000 gallons of alcohol in the National Museum of Natural History on the National Mall. It is estimated that it will take roughly three years to build Pod 5, of which 20 months would be actual construction.

Section 3 would authorize the Smithsonian to use private funds to construct improvements, including a new roof, for the courtyard of the Patent Office Building. The building houses the Smithsonian American Art Museum and the National Portrait Gallery. The Smithsonian will organize a national design competition using trust funds under its control, to plan and design the new roof. The building itself is expected to reopen in 2006.

Section 4 would authorize the secretary to enter into contracts for the acquisition of property and services pursuant to the Federal Property and Administrative Services Act of 1949. Section 5 would authorize the Secretary to establish a program for making voluntary separation incentive payments for employees, to better manage its workforce.

Section 6 is sense of Congress language commending the Smithsonian's National Museum of American History for establishing the month of April as Jazz Appreciation Month.

I urge an "aye" vote on this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. NEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding me time.

I am here on behalf of myself, the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from California (Mr. MATSUI). The three of us represent the House on the Board of Regents the governing body of the Smithsonian; it is a great institution, something that has won worldwide acclaim for the collections, for the way in which it interprets the history of the United States as well as other parts of the world.

I rise today in support of H.R. 2195, the Smithsonian Facilities Authorization Act. As a member of the Board of Regents, I am pleased to see this bill brought to the floor today; and I want to thank my colleague, the gentleman from Ohio (Mr. NEY), and also the gentleman from Connecticut (Mr. LARSON) for recognizing the importance of a timely passage of this bill and for their efforts to expedite the bill through the Committee on House Administration.

H.R. 2195 authorizes a trust fund improvement to the Patent Office Building, most notably the courtyard enclosure. These improvements are critical steps in the renovation of the Old Patent Office Building and to reopening the historic building for the public to enjoy. And certainly "for the public to enjoy" is a true statement, because people coming to visit the Nation's capital put a visit to the Smithsonian on a high priority on their list of places to see.

Additionally, the bill authorizes funding for planning, design, and construction of the Pod 5 facility at Suitland. This authorization will facilitate the evolving needs of the biological research community at large.

One of the lesser-known functions of the Smithsonian is the preservation of all kind of things that are valuable to research people. We have no idea how much how much their collections are used by the research community; and, therefore, it is important that we have adequate facilities to take care of these.

H.R. 2195 provides the Secretary of the Smithsonian Institution with continuous contracting authority for the Pod 5 project which will make future phasing more efficient and economically sound.

Finally, the bill recognizes the efforts of the National Museum of American History to establish Jazz Appreciation Month. Acknowledging the Smithsonian's jazz collections is important to bringing attention to our Nation's oldest and most comprehensive program in this inherently American art form.

Again, I would like to express my appreciation to the gentleman from Ohio (Mr. NEY) for promptly seeing this bill through the Committee on House Administration, and I look forward to having it passed by this body.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 2195, a bill to provide additional space and resources for the national collections held by the Smithsonian Institute. I com-

mend the Gentleman from Ohio, Congressman REGULA, for introducing the bill, which is co-sponsored by two of our colleagues, Congressmen JOHNSON and MATSUI, who also serve on the Smithsonian Institution's Board of Regents.

The bill authorizes the Smithsonian's Board of Regents to plan, design, construct, and equip additional special use storage and laboratory space for the museum support facility in Suitland, Maryland. The Transportation and Infrastructure Committee, on which I serve as Ranking Member, has jurisdiction over these activities of the Smithsonian, and the Committee will review and approve any design plans for this facility once they are completed.

The bill also clarifies and refines the role of the Smithsonian in the renovation of the Patent Office Building, while retaining the appropriate roles of the National Capitol Planning Commission and the Commission on Fine Arts. This building houses the Smithsonian's American Art Museum and National Portrait Gallery and is currently closed for extensive renovation. It is scheduled to reopen in 2006. In addition, the bill brings the Smithsonian into line with other executive branch agencies regarding competitive procedures for awarding contracts.

As is current practice, the Smithsonian will continue to submit its construction projects to the Transportation and Infrastructure Committee for approval by Committee resolution.

I support H.R. 2195 and again thank the bill's sponsors for their attention to these matters.

Mr. LARSON of Connecticut. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. NEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and pass the bill, H.R. 2195.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H.R. 2195.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 1950, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2004 AND 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 316 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 316

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1950) to authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill modified by the amendments recommended by the Committees on Armed Services and Energy and Commerce also printed in the bill. That amendment in the nature of a substitute shall be considered as read. All points of order against the amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 2. Each amendment may be offered only in the order printed in the report (except as specified in section 3), may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 2 are waived.

SEC. 2. It shall be in order at any time for the chairman of the Committee on International Relations or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules not earlier considered. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 3. The Chairman of the Committee of the Whole may recognize for consideration of any amendment printed in the report of the Committee on Rules out of the order printed, but not sooner than one hour after the chairman of the Committee on International Relations or a designee prospectively announces from the floor a request to that effect.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee